

लाभांशों के अनुदान सहित पुनः बहाली के लिए हकदार नहीं बनाया जा सकता, यदि आरोपित आचरण अभियोजन का आधार है यद्यपि मूल्यांकन या पर्याप्त साक्ष्य के अभाव में इसका अन्त हो जाता है, ऐसे मामलों में जब तक कि आचरण आरोप का विषय या और विचारण पर दोषमुक्ति सकारात्मक निष्कर्ष पर अभिलिखित की गई थी कि दोषी ने बिल्कुल भी कोई अपराध नहीं किया या दोषमुक्ति दिए गए संदेह के लाभ पर नहीं है। यह सक्षम प्राधिकारी पर निर्भर होगा कि वह दुराचरण की जाँच कर सकता है और अन्यथा भी सक्षम प्राधिकारी, प्राकृतिक न्याय के अनुसरण के बाद पुनः बहाली पर, निलम्बन अवधि को अनुपस्थिति अवधि के रूप में शामिल करते हुए, उचित आदेश पारित कर सकता है और जब ऐसे कर्मचारी के विचारण के लिए लम्बित निलम्बन अवधि इस प्रकार अनुपस्थिति के रूप में मानी जाती है तो वह अनुवर्ती लाभांशों का हकदार नहीं होगा अर्थात् पेंशन लाभांशों इत्यादि की संगणना के प्रयोजन के लिए निलम्बन की तिथि से दोषमुक्ति की तिथि तक ड्यूटी पर माने जाने का हकदार नहीं होगा”।

ए० एन० माथुर,
वित्तायुक्त एवं सचिव, हरियाणा सरकार,
वित्त विभाग।

FINANCE DEPARTMENT
(Regulations)

The 25th July, 2001

No. 6/1(1) 97-1FR-I.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Haryana hereby makes the following rules further to amend the Punjab Civil Services Rules, Volume-I, Part-I, in their application to the State of Haryana, namely :—

1. (1) These rules may be called the Punjab Civil Services, Volume I, Part I (Haryana Second Amendment) Rules, 2001.
- (2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Punjab Civil Services Rules, Volume-I, Part-I, in rule 7.3, in Sub-rule (5), in Note 9 thereunder, the following paragraph shall be added at the end, namely :—

"However, where a Government employee is prosecuted for commission of defalcation of public funds and fabrication of records and said prosecution culminates into acquittal, he cannot be made entitled to reinstatement with grant of all consequential benefits alongwith back wages etc., as a matter of course, if the conduct alleged is the foundation for prosecution, though it may end in acquittal on appreciation or lack of sufficient evidence. In such a case, unless the selfsame conduct was subject of charge and on trial the acquittal was recorded on a positive finding that the accused did not commit the offence at all or the acquittal is not on a benefit of doubt given, it would be open to the competent authority to enquire into the misconduct and take appropriate action thereon. Even otherwise, the competent authority may, on reinstatement after following the principles of natural justice, pass appropriate order including treating suspension period as non-duty and when the suspension period pending trial of such an employee is so treated to be as non-duty, he would not be entitled to the consequential benefits i.e. not entitled to be treated as on duty from the date of suspension till the date of the acquittal for the purpose of computation of pensionary benefits etc."

A. N. MATHUR,
Financial Commissioner and Secretary to Govt.,
Haryana, Finance Department.

INDUSTRIES DEPARTMENT

The 31st July, 2001

No. 32/3/94-4IB-I.—The Governor of Haryana is pleased to rename 'Industrial Model Township, Manesar' as 'Chaudhary Devi Lal Industrial Model Township, Manesar' Gurgaon with immediate effect.

S. C. CHOUDHARY,
Commissioner and Secretary to Govt.,
Haryana, Industries Department.